

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re U.S. Patent Application of:)	
)	
Dean Pettit and Mark B. Eenigenburg)	Confirmation No. 2768
)	
Application No. 10/747,859)	Examiner: Jerry E. Redman
)	Art Unit: 3634
Filed December 26, 2003)	
)	
For: Integrated Tilt/Sash Lock Assembly)	

**REQUEST FOR ENTRY OF PREVIOUSLY-FILED REPLY
AND WITHDRAWAL OF NOTICE OF ABANDONMENT**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

This is in response to the Notice of Abandonment mailed October 27, 2006. This request is also filed pursuant to the instructions of Examiner Redmond based on previous telephone discussions with the undersigned attorney.

Applicants submit that a Reply to the Office Action Mailed March 6, 2006 was timely mailed to the U.S. Patent and Trademark Office (PTO) on April 4, 2006. This Reply was in response to an election/restriction requirement, and Applicants elected the species of Group XVI (FIGS. 66-73) for prosecution on the merits. As Claims 1-18 are readable on the species of FIGS. 66-73, Applicants did not need to withdraw or cancel any claims.

In a telephone call to Applicants' attorneys on September 7, 2006, Examiner Redmond inquired as to whether a Reply to the election/restriction Office Action Mailed March 6, 2006 had been filed by Applicants, stating that no such Reply had been received by the PTO. Upon learning that a Reply had been mailed to the PTO on April 4, 2006, the Examiner requested Applicants' attorneys to fax a copy of the Reply to the PTO. On September 7, 2006, Applicants' attorneys faxed a copy of the previously-filed Reply to the PTO along with a paper entitled "Resubmission of Reply to Office Action Mailed March 6, 2006."

Application No. 10/747,859
REQUEST FOR ENTRY OF PREVIOUSLY-FILED REPLY
AND WITHDRAWAL OF NOTICE OF ABANDONMENT
Page 2

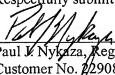
Due to a typographical error in the application number in the caption of the Reply to Office Action Mailed March 6, 2006, the Reply to Office Action Mailed March 6, 2006 was erroneously filed in connection with Application No. 10/787,859 (incorrect), rather than Application 10/747,859 (correct). Although Applicants' "Resubmission" contained the correct application number (10/747,759) in the caption, the Resubmission was also filed in connection with Application No. 10/787,759. This resulted in the Reply never being filed in connection with the present application.

As the abandonment was in error since a Reply was timely filed, Applicants respectfully request withdrawal of the abandonment. Copies of the previously-submitted Reply and Resubmission are attached. If any issues require further information, the reviewer of this Request is requested to call the undersigned attorney.

Respectfully submitted,

Date: December 8, 2006

By:



Paul J. Nykaza, Registration No. 38,984
Customer No. 22908
Banner & Witcoff, Ltd.
10 South Wacker Drive, Suite 3000
Chicago, Illinois 60606
312-463-5000

TO DOCKETING

APR 18 2006



File Expedition, November 1806, Rocky Mountain

Wallenstein Wagner & Rockey, Ltd.
ATTENTION: GGS/sjg
311 South Wacker Drive, 53rd Floor
Chicago, IL 60606-6630



Date Mailed: April 4, 2006 (Due: 4/6/06)
Attorney Docket No.: 1247H P 298 (Ashland)
Inventor(s): Dean Pettit et al.
Application No.: 10/787,859
Filing Date: December 26, 2003

In Re U.S. Patent Application for INTEGRATED TILT/SASH LOCK ASSEMBLY;
Examiner: Jerry E. Redman; Group Art Unit: 3634

Enclosures:

- Reply to Office Action Mailed March 6, 2006 (2 pages); and,
- Return receipt postcard.

GGG/sjg (215431)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Dean Pettit and Mark B. Eenigenburg

Application No.: 10/787,859
Confirmation No.: 2768
Filed On: December 26, 2003

For: INTEGRATED TILT/SASH LOCK
ASSEMBLY

Examiner: Jerry E. Redman

Art Unit: 3634

REPLY TO OFFICE ACTION MAILED MARCH 6, 2006

MAIL STOP AMENDMENT
Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a Reply to the Office Action mailed March 6, 2006. The original period of response to the Office Action is a shortened statutory period of one (1) month from the mailing date. Accordingly, the time period for response is April 6, 2006, and this Reply is submitted within that time limit. Applicants respectfully request reconsideration and allowance of the pending claims in the present Application in view of the Amendments and Remarks below.

Please amend the above-identified application as follows:

Remarks/Arguments begin on page 2 of this paper.

REMARKS

Claims 1-18 are pending in the present application. In the Office Action, the Examiner restricted the Application into several species and required election between the species: Group - FIGS. 1 and 3-6; Group II - FIG. 2; Group III - FIG. 6A; Group IV - FIG. 7; Group V - FIG. 8; Group VI - FIGS. 9-12; Group VII - FIGS. 13-18; Group VIII - FIGS. 19-32 and 34-40; Group IX - FIG. 33; Group X - FIGS. 41 and 49; Group XI - FIGS. 42-48, 51-54, 56, and 58; Group XII - FIG. 50; Group XIII - FIG. 55; Group XIV - FIG. 57; Group XV - FIGS. 59-65; and Group XVI - FIGS. 66-73.


Applicants elect the species of Group XVI (FIGS. 66-73) for prosecution on the merits. Claims 1-18 are readable on the species of FIGS. 66-73. Thus, Applicants need not withdraw or cancel any claims at the present time.

In view of the foregoing, Applicants respectfully request allowance of Claims 1-18 in the present Application. Applicants submit that the Application is in condition for allowance and respectfully requests an early notice of the same.

Respectfully submitted,

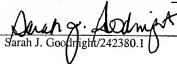
Dated: April 4, 2006

By: _____


Paul J. Mykaza, Reg. No. 38,984
Gregory G. Schlenz, Reg. No. 55,597
Wallenstein Wagner & Rockey, Ltd.
311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
312.554.3300

CERTIFICATE UNDER (37 C.F.R. § 1.8a)

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on April 4, 2006.



Sarah J. Gooding/242380.1

SEP 07 2006

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Wallenstein
& Wagner

INTELLECTUAL PROPERTY LAW

311 South Wacker Drive, 53rd Floor
Chicago, Illinois 60606-6630
phone: 312-554-3300
fax: 312-554-3301
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FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
U.S. Patent and Trademark Office	Paul J. Nykaza
EXAMINER:	DATE:
Jerry E. Rodman	September 7, 2006
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
571-273-8300	5
YOUR REFERENCE NUMBER:	SENDER'S REFERENCE NUMBER:
10/747,859	1247H P 298
RE:	
Resubmission of Reply to Office Action Mailed March 6, 2006	

This fax may contain Attorney work product, which is privileged and confidential

NOTES/COMMENTS:

Should you have any problems with receipt of this facsimile transmission, please contact Office Services at (312) 435-7970.

(250242)

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BEST AVAILABLE COPY**RECEIVED
CENTRAL FAX CENTER****SEP 07 2006****PATENT**Attorney Docket No. 1247H P 298
(250241)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:)	
)	
Dean Pettit and Mark B. Fenigenburg)	
)	
Application No. 10/747,859)	Examiner: Jerry E. Redman
)	
Confirmation No. 2768)	Art Unit: 3634
)	
Filed December 26, 2003)	
)	
For: Integrated Tilt/Sash Lock Assembly)	


RESUBMISSION OF REPLY TO OFFICE ACTION MAILED MARCH 6, 2006Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Commissioner:

Enclosed is a copy of the Reply to the Office Action Mailed March 6, 2006, as filed with the U.S. Patent and Trademark Office on April 7, 2006. A copy of the stamped return receipt postcard is also enclosed.

Respectfully submitted,

Date: September 7, 2006

By: 
 Paul J. Nylaz, Registration No. 38,983
 Customer No. 23424
 Wallenstein & Wagner, Ltd.
 311 South Wacker Drive, 53rd Floor
 Chicago, Illinois 60606-6630
 312-554-3300

CERTIFICATE UNDER (37 C.F.R. § 1.8a)

I hereby certify that this paper and attachments are being transmitted to the U.S. Patent and Trademark Office via facsimile to 571-272-3000, on September 7, 2006.


 Ronald Hanks

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Attorney Docket No. 1247H P 298

**RECEIVED
CENTRAL FAX CENTER****SEP 07 2006
PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:
Dean Pettit and Mark B. Eenigenburg

Application No.: 10/787,859
Confirmation No.: 2768
Filed On: December 26, 2003

Examiner: Jerry E. Redman
Art Unit: 3634

For: INTEGRATED TILT/SASH LOCK
ASSEMBLY

REPLY TO OFFICE ACTION MAILED MARCH 6, 2006

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Please amend the above-identified application as follows:

Remarks/Arguments begin on page 2 of this paper.

Application No. 10/747,855
Attorney Docket No. 1247H P 298
Reply to Office Action Mailed March 6, 2006

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SEP 07 2006

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REMARKS

Claims 1-18 are pending in the present application. In the Office Action, the Examiner restricted the Application into several species and required election between the species: Group I - FIGS. 1 and 3-6; Group II - FIG. 2; Group III - FIG. 6A; Group IV - FIG. 7; Group V - FIG. 8; Group VI - FIGS. 9-12; Group VII - FIGS. 13-18; Group VIII - FIGS. 19-32 and 34-40; Group IX - FIG. 33; Group X - FIGS. 41 and 49; Group XI - FIGS. 42-48, 51-54, 56, and 58; Group XII - FIG. 50; Group XIII - FIG. 55; Group XIV - FIG. 57; Group XV - FIGS. 59-65; and Group XVI - FIGS. 66-73.

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Respectfully submitted,

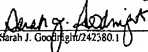
Dated: April 4, 2006

By: 

Paul J. Mykaza, Reg. No. 38,984
Gregory G. Schlenz, Reg. No. 55,597
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Chicago, Illinois 60606-6630
312.554.3300

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Sarah J. Goodright/242380.1

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APR 18 2006



4th Quarter, November 2006. Rocky Mountain

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Wallenstein Wagner & Rockey, Ltd.
ATTENTION: GGS/sjg
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